

NO. 54216

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF
NEVADA

Date of filing in State Engineer's Office DEC 6 1989
Returned to applicant for correction DEC 29 1989
Corrected application filed FEB 26 1990
Map filed MAR 14 1990

The applicant **1979 Higbee Trust, Nolan Shumway and John Uhalde & Co.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground Source**
2. The amount of water applied for is **.01 Second feet** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Stock watering**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **500 cows and/or 2000 sheep**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T.1 S., R. 60 E., M.D.B.&M. (unsurveyed) or at a point from which the U.S.G.S. Triangulation Station Mt. Diablo 60 bears N. 57°18'00" E., at 21,150 feet.**
6. Place of Use **NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T. 1 S., R. 60 E., M.D.B. & M. (unsurveyed).**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well with submersible pump and water tank.**
9. Estimated cost of works **\$9,050.00**
10. Estimated time required to construct works **30 days**
11. Estimated time required to complete the application of water to beneficial use **30 days**
12. Remarks:

By **s/Richard E. Fonger**
P.O. Box 491
Ely, Nevada 89301

Compared hs/cmf hs/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01 cubic feet per second, or sufficient to water 321 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 4, 2001

Proof of completion of work shall be filed before:

June 4, 2001

Water must be placed to beneficial use on or before:

May 4, 2002

Proof of the application of water to beneficial use shall be filed on or before:

June 4, 2002

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of, May A.D. 2000


State Engineer

Completion of work filed JUN 18 2001

Proof of beneficial use filed NOV 09 2001

Cultural map filed N/A

Certificate No. 15954 Issued DEC 07 2001